

UNITED STATES DISTRICT COURT

for the
Eastern District of Michigan

In the Matter of the Search of)
 (Briefly describe the property to be searched)
 or identify the person by name and address))
 6735 Ford Ave, Warren, Michigan (Target Location))
)
)

Case: 2:19-mc-50637 - 1
 Assigned To : Roberts, Victoria A.
 Assign. Date : 4/26/2019
 Case No. IN RE: SEALED MATTER (CMC)

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

See ATTACHMENT A.

located in the _____ Eastern _____ District of _____ Michigan _____, there is now concealed (*identify the person or describe the property to be seized*):

See ATTACHMENT B.

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC 922(g)(1)	Felon in Possession of a Firearm
18 USC 922(a)(6)	False Statement Relating to Acquisition of Firearm

The application is based on these facts:

See attached AFFIDAVIT.

- ☒ Continued on the attached sheet.
☐ Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Brady Rees, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

Date: April 26, 2019

City and state: Detroit, Michigan



Judge's signature

R. Steven Whalen

U. S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF FEDERAL SEARCH WARRANT

I, Special Agent Brady W. Rees, being first duly sworn, hereby depose and state as follows:

I. INTRODUCTION

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) since January of 2016. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7), and I am empowered by law to conduct investigations and make arrests of offenses enumerated under federal law.

2. I have had extensive training at the Federal Law Enforcement Training Center in the Criminal Investigator Training Program and ATF Special Agent Basic Training. I have a Bachelors in Criminal Justice. During my time at ATF, I have authored several federal search warrants, federal criminal complaints, and federal arrest warrants. Previous to my employment with ATF, I was a police officer with the City of Novi, Michigan, for approximately three years.

3. During my employment with ATF, I have participated in numerous criminal investigations focused on firearms, armed drug

tracking violations and criminal street gangs. During said employment, I have utilized a variety of investigative techniques and resources, including physical and electronic surveillance, undercover and various types of informants and cooperating sources.

4. I have personal knowledge or have been provided by other law enforcement officers with the facts set forth herein. I have not included each and every fact known to me concerning this investigation; rather I have set forth only the facts necessary to establish probable cause.

II. PURPOSE OF AFFIDAVIT

5. I make this affidavit in support of an application for a search warrant under Federal Rule of Criminal Procedure 41 for the following location:

- a. **6735 Ford Ave, Warren, Michigan**, located in the Eastern District of Michigan (**Target Location**).

Described as a yellow brick, one story single-family apartment. 6735 Ford Ave is the first unit on the north side of the street, just west of Sherwood Ave. The

numbers, “6735” are clearly displayed to the right front door. (further described in attachment A)

6. The search of the above listed residence shall include any occupants, and all rooms, attics, crawl spaces, basements, safes, locked boxes, storage facilities, computer hard drives, and/or any computer/data storage devices. The items to be searched for and seized are described in Attachment B of this affidavit, List of Items to be Seized.

7. Based on the information in this affidavit, there is probable cause to believe that fruits, instrumentalities, and evidence of violations of Title 18 USC 922(a)(6) (false statement with respect to any fact material to the lawfulness of the sale or other disposition of a firearm) and Title 18, U.S.C. § 922(g)(1) (felon in possession of a firearm) are contained within **6735 Ford Ave, Warren, Michigan** (above listed **Target Location**).

III. BACKGROUND OF THE INVESTIGATION

8. During the month of April, 2019, ATF has been conducting an investigation into Dominique DIXSON, B/M, DOB: XX/XX/1990, a

multi-convicted felon, and Ruby DIXSON, W/F, DOB: XX/XX/1985, for possible Federal violations of firearm laws.

9. I reviewed a Computerized Criminal History (CCH) of Dominique DIXSON, which revealed Dominique DIXSON was convicted of the following felony offenses:

- a. 2011 –Felony Assault with Intent to do Great Bodily Harm Less Than Murder or By Strangulation; and
- b. 2013 –Felony Assault with a Dangerous Weapon

10. I found no Computerized Criminal History (CCH) for Ruby DIXSON.

IV. PROBABLE CAUSE

11. On April 17, 2019, S/A Rees reviewed a series of photographs from the Instagram Account, “kiing_messiah,” the suspected Instagram Account of Dominique DIXSON (DOB: XX/XX/1990). While reviewing Dominique DIXSON’s Instagram Account, S/A Rees observed photographs posted on March 28, 2019, depicting Dominique DIXSON, a multi-convicted felon, holding up paper targets at a gun range. S/A Rees and S/A Jacobs were able to determine the photographs were taken at and in front of Action Impact, located at 14822 E. 8 Mile Road,

Eastpointe, Michigan. Below are snapshots of the photographs uploaded to Instagram Account “kiing_messiah.”



12. On April 17, 2019, S/A Rees and S/A Jacobs met with the Director of Operations at Action Impact (“Action Impact employee”), located at 14822 E. 8 Mile Road, Eastpointe, Michigan. The Action Impact employee advised S/A Rees surveillance footage of Action Impact was available from the requested date. S/A Rees presented the Action Impact employee with a photograph of Dominique DIXSON taken from in front of Action Impact and uploaded to Instagram on March 28, 2019.

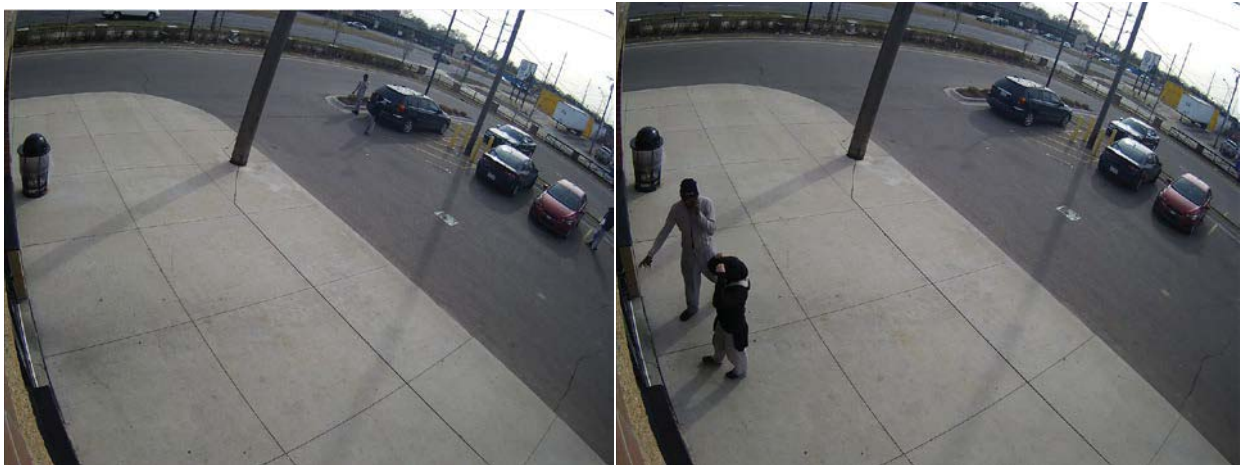
13. The Action Impact employee recognized Dominique DIXSON. The Action Impact employee was able to locate records

indicating Ruby DIXSON purchased a Taurus, G2C, 9mm caliber, semi-automatic pistol, bearing serial number: TLX83012 on March 27, 2019. Further investigation revealed Dominique DIXSON and his wife, Ruby Loraine DIXSON, were at Action Impact on March 27, 2019 and March 28, 2019.

14. The Action Impact employee provided the ATF Form 4473 in the name of Ruby Loraine DIXSON, a pistol sales record, a photocopy of Ruby DIXSON's Michigan Identification Card, and a receipt showing the purchase for a total of \$339.19. The receipt further indicated the credit card used for the purchase was in the name, Dominique DIXSON. Review of video surveillance footage shows Dominique DIXSON and Ruby DIXSON returned on March 28, 2019 to shoot the firearm purchased. The Action Impact employee provided S/A Rees and S/A Jacobs with access to video surveillance from March 27, 2019 and March 28, 2019. Below is a summary of the footage, followed by snapshots of the activity observed.

March 27, 2019 Video Surveillance Summary

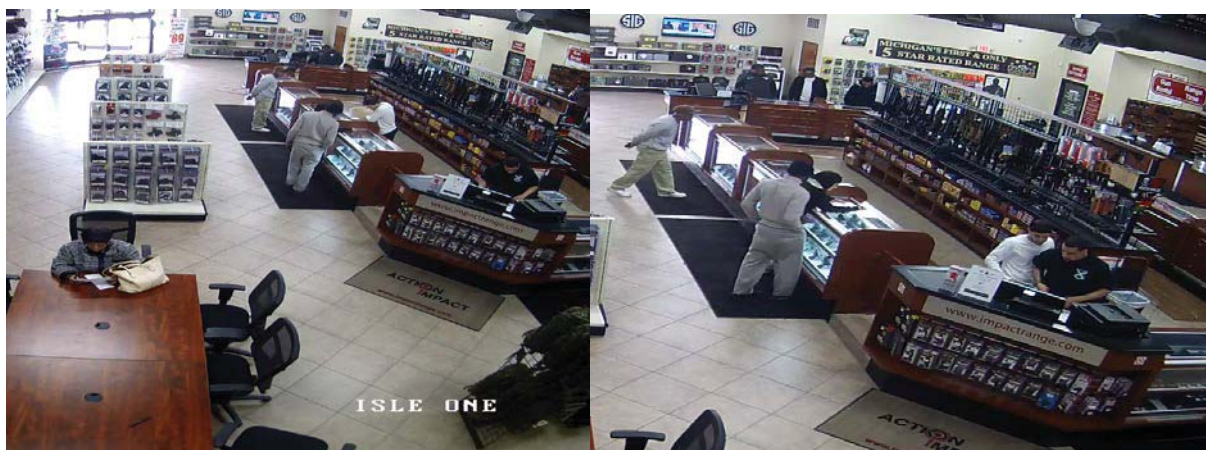
15. At approximately 4:29 p.m., on March 27, 2019, Dominique DIXSON and Ruby DIXSON arrived at Action Impact in a dark blue Chrysler Pacifica, bearing Michigan License Plate XXXXX66. Dominique DIXSON exited the driver door and Ruby DIXSON exited the passenger door. Ruby DIXSON entered Action Impact and approached the front desk. At this juncture, Dominique DIXSON stayed outside on the phone.



16. Ruby DIXSON made contact with the Action Impact employee, who directed her to sit at the corner table and fill out the ATF Form 4473. As Ruby DIXSON is completing the form, Dominique DIXSON enters and exits the store, making contact with Ruby DIXSON multiple times as she completed the form.



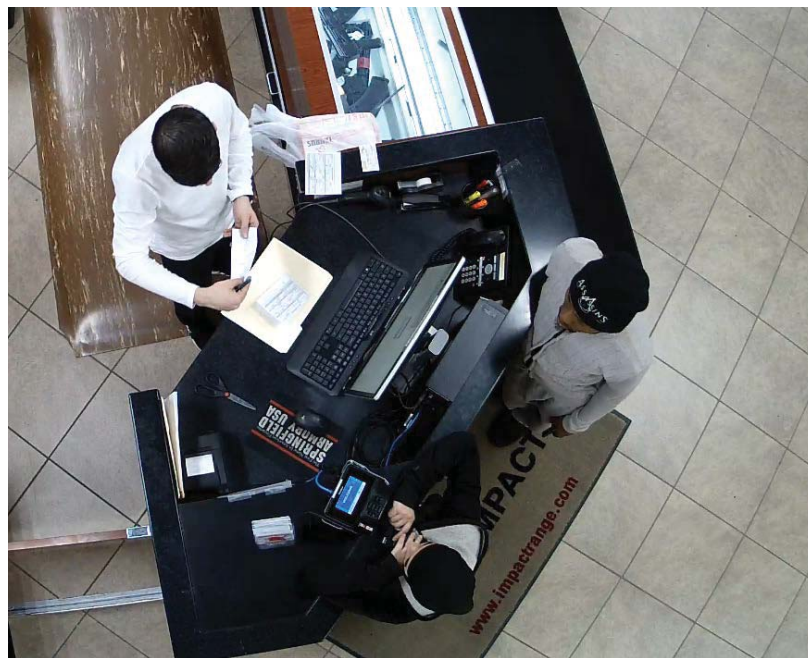
17. After the form is completed, Dominique DIXSON and Ruby DIXSON sat at the corner table. A short time later, Ruby DIXSON and Dominique DIXSON made contact with the Action Impact employee at the gun counter. At this time, Ruby DIXSON pointed out the firearm to be purchased.



18. Ruby DIXSON and Dominique DIXSON returned to the table. While at the table, Dominique DIXSON counts money and hands Ruby DIXSON a credit card.

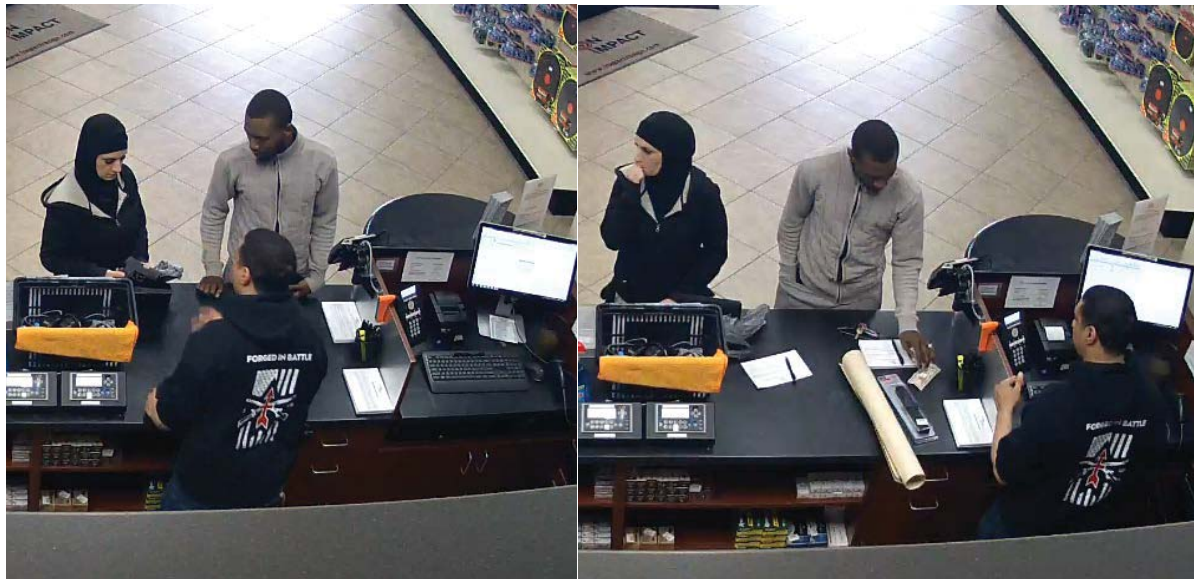


19. Ruby DIXSON and Dominique DIXSON paid at the register. Records show Ruby DIXSON paid for the firearm with a credit card in the name of Dominique DIXSON.



March 28, 2019 Video Surveillance Summary

20. On March 28, 2019, at approximately 4:22 p.m., Ruby DIXSON and Dominique DIXSON returned to Action Impact and approached the Gun Range counter. Ruby DIXSON retrieved the firearm (purchased earlier) from her purse and presents it to the clerk behind the counter. While reviewing the video, the Action Impact employee confirmed the firearm Ruby DIXSON was carrying was the firearm purchased a day earlier. Dominique DIXSON purchased an extended magazine for the Taurus 9mm and paid cash for the transaction.



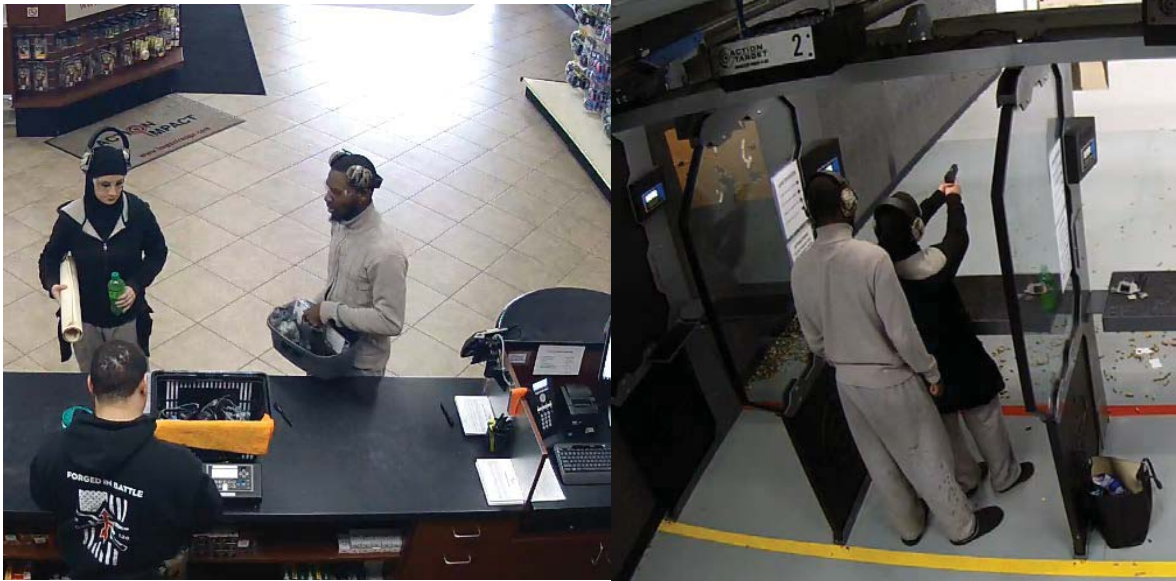
21. Following the first transaction, Dominique DIXSON selected an additional firearm to rent, provided his ID, and filled out the range

sheet. The clerk retrieved the additional firearm and ammunition.

Dominique DIXSON paid cash for the additional items.



22. After making the above transactions, Dominique DIXSON carried both firearms to lane 2 of the gun range. After hanging a target, he loaded the extended magazine belonging to the Taurus, G2C, 9mm caliber, semi-automatic pistol. Both Dominique DIXSON and Ruby DIXSON took turns firing the pistols. Both subjects utilize their cell phones for photographs and videos while possessing the pistols.



23. Dominique DIXSON fired both the rented pistol and the pistol purchased by Ruby DIXSON.



24. At approximately 5:56 p.m., Ruby and Dominique DIXSON departed. Prior to entering their vehicle, Ruby and Dominique DIXSON took photographs outside with their targets.



Based on my training and experience, owners of firearms keep their firearms, firearm parts, and ammunition in their homes.

V. CONCLUSION

25. I conducted a check of available open source computer databases. This search revealed Dominique DIXSON and Ruby DIXSON have the **Target Location** listed as their residence, according to Secretary of State. The Chrysler Pacifica bearing Michigan License Plate XXXXX66, driven to Action Impact on March 27th and March 28th of 2019, is registered to the **Target Location**.

26. Further, Ruby DIXSON listed her residence as the **Target Location** on the ATF Form 4473 and the Taurus, G2C, 9mm, semi-automatic pistol, bearing serial number: TLX83012, is registered to Ruby DIXSON at the **Target Residence**.


27. On April 23, 2019, at approximately 12:09 p.m., S/A Rees and S/A Jacobs conducted surveillance at the **Target Residence**. S/A Rees and S/A Jacobs observed Dominique DIXSON walk from the passenger side door of a dark 2007 Chrysler Pacifica, bearing Michigan license plate XXXXX66, to the front door of the **Target Residence**, where DIXSON keyed his way into the residence.

28. Based on the information provided to Interstate Nexus S/A Jacobs, the pistol purchased by Ruby DIXSON meets the definition of a firearm and is manufactured outside the state of Michigan.

29. Based on the foregoing, I believe that there is probable cause that 6735 Ford Ave, Warren, Michigan, contains fruits, instrumentalities, and evidence of crimes relating to violations of Title Title 18 USC 922(a)(6) (false statement with respect to any fact material to the lawfulness of the sale or other disposition of a firearm) and Title 18, U.S.C. § 922(g)(1) (felon in possession of a firearm).

It is further respectfully requested that the Court issue an order sealing, until further order of this Court, all papers submitted in support of this Application, including the Application, Affidavit, and Search Warrant, and the requisite inventory notice. Sealing is necessary because the items and information to be seized are relevant to an ongoing investigation and premature disclosure of the contents of this Affidavit and related documents may have a negative impact on this continuing investigation and may jeopardize its effectiveness.

WHEREFORE, I request that the Court issue a warrant authorizing a search of 6735 Ford Ave, Warren, Michigan.



Special Agent Brady Rees
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me and signed in my presence on this 26th day of April, 2019.



R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

6735 Ford Ave, Warren, Eastern District of Michigan (Target Location) described as a yellow brick, one story single-family apartment. 6735 Ford Ave is the first unit on the north side of the street, just west of Sherwood Ave. The numbers, “6735” are clearly displayed to the right front door.



ATTACHMENT B

PARTICULAR ITEMS TO BE SEIZED

1. Evidence, fruits, and instrumentalities related to the above-described criminal violations, including, but not limited to:
 - a. papers and effects showing occupancy, ownership, dominion or control of the **Target Location**, including, but not limited to, rent and property receipts, keys, bills, and cancelled mail envelopes and contents;
 - b. photographs of firearms, firearm parts, Action Impact, photographs of shooting targets, and ammunition;
 - c. any digital media including but not limited to cell phones, digital cameras and electronic storage devices that could contain photographs, contacts, and contents therein, that may contain evidence of the above-referenced criminal violations;
 - d. Any and all Taurus, G2C, 9mm caliber, semi-automatic pistols, extended magazines, or 9mm ammunition.
2. Records and information that relate to violations of Title 18 USC 922(a)(6) and Title 18 USC 922(g)(1) which are contained in electronic devices and storage under the custody or control of the individuals

inside of the **Target Location**, including:

- a. lists of contacts and related identifying information;
 - b. any information (including names, addresses, phone numbers, or any other identifying information) related to the identification of co-conspirators;
 - c. any information regarding scheduling or whereabouts;
 - d. photographs of others who may be involved in the firearm violations; and
3. Evidence of user attribution showing who used or owned the cellular telephones at the time the things described in this warrant were created, edited, or deleted, such as logs, phonebooks, saved usernames and passwords, documents, and browsing history.
4. As used herein, the terms “records” and “information” include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as flash memory or other media that can store data) and any photographic form.

for the
Eastern District of Michigan

Case No. Case: 2:19-mc-50637 - 1
Assigned To : Roberts, Victoria A.
Assign. Date : 4/26/2019
IN RE: SEALED MATTER (CMC)

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the _____ Eastern _____ District of _____ Michigan _____.

(identify the person or describe the property to be searched and give its location):

See ATTACHMENT A.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (*identify the person or describe the property to be seized*):

See ATTACHMENT B.

YOU ARE COMMANDED to execute this warrant on or before May 10, 2019 (not to exceed 14 days)

☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to the presiding United States Magistrate Judge on duty.
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (*check the appropriate box*)

for days (*not to exceed 30*) until, the facts justifying, the later specific date of

Date and time issued: April 26, 2019 10:34 am


Judge's signature

City and state: Detroit, Michigan

R. Steven Whalen U. S. Magistrate Judge
Printed name and title

Return

Case No.:

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

*Executing officer's signature*_____
Printed name and title